

**April 2006**

# **Safety Compliance Manual**

**Motor Carrier Services Division**  
*Missouri Department of Transportation*



# A Note From the MCS Director

Thank you for taking the time to learn about Missouri's motor carrier safety regulations. After all, the highways are the source of carriers' livelihood and you deserve a safe workplace.

I really enjoy meeting you when you visit MoDOT's MCS office. Whether you're taking care of registration, fuel tax or an overdimension/overweight permit, we are able to meet all your needs at one location. And now, if you have Internet access, you can take care of most of your business with MCS according to your schedule. Order permits, file IFTA and IRP reports and use your escrow account or credit card to cover your fees any time, day or night.

While you're on the Web, bookmark [www.modot.org/mcs](http://www.modot.org/mcs) and visit often. We'll post timely updates and reminders to help you stay on top of the latest developments.

Concerned about all the highway construction this summer? Be sure to visit [www.modot.org](http://www.modot.org). You can find a map that shows all the work zones that are active each day and lists of projects coming up soon. There will be very few construction-free routes this year as MoDOT delivers highway smoothing and safety projects made possible by Amendment 3. Please stay within the posted speed limit and stay alert. We do our best to make these zones as safe as possible and need your help so everyone can arrive alive.

Another safety issue greatly concerns me - 48% of commercial motor vehicle drivers don't buckle up. Lately, we find more than 300 carriers die in crashes, many because they did not wear their seatbelt. A seatbelt can keep you upright and able to control your truck during a crash. Without a belt, the force of a crash could throw you away from the wheel. Please, please buckle up.

The calls, visits and letters you send really help us learn what you need so we can design our processes to meet these needs. Keep it up! Continuous improvement benefits us both.

Finally, we want you to be successful and safety is the number one priority. I hope that you find this Safety Compliance Manual beneficial and easy to understand, keeping in mind that this is strictly a tool to be used as guidance and is not intended to take the place of the regulations. For specific regulations please refer to Title 49, Code of Federal Regulations.

Safe travels,

A handwritten signature in black ink, appearing to read "Jan Skouby". The signature is fluid and cursive, with the first name "Jan" and last name "Skouby" clearly distinguishable.

Jan Skouby,  
MoDOT Motor Carrier Services Director

**Motor Carrier Services Division  
Safety Compliance Manual**

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## PREFACE

This guide was developed to assist motor carriers in achieving safety compliance with the State and Federal Motor Carrier Safety Regulations (FMCSR). Sample forms for driver qualification files, accident registers, maintenance records, and other items are included.

This is a guide and not intended to take the place of the regulations. For specific regulations please refer to Title 49, Code of Federal Regulations.

Some regulations contained in Title 49, Code of Federal Regulations, while not enforceable by Motor Carrier Services Division, may be enforceable by other agencies within the state. Sample forms included may be used to comply with regulatory requirements, but are not mandated. Other form layouts that contain the same information or perform the same task may be sufficient. Occasionally, regulations mandate a specified form or content of a form (e.g. 49 CFR 391.43 mandates the DOT physical examination form). Consult the underlying regulation if there is any question as to the correctness of a form.

Our overall goal is to improve the safe transportation of passengers and goods on Missouri's highways through a coordinated effort of federal, state, and industry organizations to reduce fatalities, injuries, property damage and hazardous materials incidents.

This booklet is comprised of eighteen sections, each containing a specific safety regulation topic that is covered in the FMCSRs. These parts are listed in the Table of Contents. Each part contains information sheets that cover the highlights of that section. Please feel free to reproduce any or all material in this package and to distribute copies as needed. You may also obtain this information on the Federal Motor Carrier Safety Administration (FMCSA) Website at [www.fmcsa.dot.gov/](http://www.fmcsa.dot.gov/) or the MoDOT Motor Carrier Services Website at <http://www.modot.org/mcs>.

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable FMCSRs. Safety compliance and safe operations translate into saved lives and property. We believe the information in this package, when effectively applied, will contribute to safer motor carrier operations and highways.

## ARE YOU SUBJECT TO THE SAFETY REGULATIONS?

Effective August 28, 2004, (Signing of Senate Bill 1233)

Code of Federal Regulations Parts 100 through 180 (Hazardous Material Regulations) and Parts 382 through 397 (Safety Regulations) generally pertain to:

- Any person operating any Commercial Motor Vehicle with a Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) greater than 10,000 pounds in Interstate Commerce.
- Any person operating any Commercial Motor Vehicle with a Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) greater than 26,000 pounds in Intrastate Commerce, unless transporting any amount of Hazardous Materials.

### Missouri Intrastate Exemptions

- A. Vehicles with less than 26,001 pounds Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) unless transporting passengers or any amount of Hazardous Materials.
- B. Vehicles licensed for 60,000 pounds or less and are used exclusively to transport solid waste (Intrastate only);
- C. Vehicles licensed for 42,000 pounds or less and the license plate has been designated for farm use by the letter F (Intrastate only), unless such vehicle is transporting hazardous materials;
- D. Persons having a valid Missouri Chauffeur's License on May 13, 1988 are not subject to the medical requirements of Part 391.41 (In intrastate commerce only).

### NOTICE TO PASSENGER CARRIERS

**Intrastate** private and regulated passenger carriers are subject to the Safety Regulations if they are designed to transport 7 or more passengers, including the driver.

**Interstate** passenger carriers are subject to the Safety Regulations if the vehicle is:

- Designed or used to transport 9 or more passengers (including the driver) for compensation;  
*Exception: The operation of passenger carrying vehicles designed or used to transport between 9 to 15 passengers (including the driver) for compensation are only required to comply with 49 CFR 385.21, Motor carrier identification report, 49 CFR 390.15, Assistance in investigations and special studies, and 49 CFR 390.21, Marking of commercial motor vehicles (except 390.21(b)(1) and part 387, Insurance).*
- Designed or used to transport 16 or more passengers (including the driver) and is not used to transport passengers for compensation.  
*Exceptions: The operation of commercial motor vehicles designed or used to transport between 9 and 15 passengers see 390.3(f)*

**\*Note: Effective May 13, 1988, Missouri adopted the Federal Regulations with the signing of Senate Bill 433.**

**MISSOURI DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER SERVICES**

**COMMERCIAL MOTOR VEHICLE  
TRANSPORTATION SYSTEM SECURITY & SAFETY**

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Every commercial motor vehicle transportation company should evaluate the level of security and safety within their own system, including at a minimum the following:

**General Security Information**

- Recommend to the carrier that a security plan be developed and implemented. It should include:
  - Personnel Security
  - Hazardous Materials and Package Control
  - En Route Security
  - Technical Innovations
  - Management Prerogatives
  - Communications
  - Reassessment Based Upon Current Conditions
- Recommend that management encourage input and participation in the development and implementation of the company's security program.

**Personnel Security**

- Discuss the fact that any employee could pose a security risk.
- Implement method for security identification (i.e. ID Badges). Identification should include the employee's name, the company name, the employee's picture, and a phone number where the employee's identification can be confirmed.
- Review the list of drivers and request the required number of driver qualification files for review.
- Ensure that the carrier is complying with the investigation and inquiry requirements of 49 CFR Section 391.23. Discuss with the company official any additional checks made, such as, criminal background checks, personal reference checks, credit checks, etc.
- When reviewing the contents of the driver qualification files, particular attention should be given to:
  - Gaps in employment
  - Frequent job shifts
  - All names used by the applicant
  - Type of military discharge
  - Citizenship
  - Present and prior residence information
  - Personal references
  - Criminal history
- Verify compliance with the Immigration Reform and Control Act of 1986, in that, I-9 forms are properly completed and maintained for all employees.

- Determine if the company utilizes face-to-face interviews, of prospective employees, to obtain information that will help to appraise the personality, character, motivation, honesty, integrity, and reliability.
- Any information or suspicious activity discovered during the review of these files should be reported immediately to your SD/DA for possible referral to the local FBI office.

#### **Hazardous Materials and Package Controls**

Security enhancements that might be considered:

- Are the facility grounds adequately lighted?
- Are hazardous materials located in a secure area?
- Are transport vehicles located in a secure area?
- Is the access to hazardous materials limited and/or monitored (sign-in/sign out)?
- Consider requiring employee identification cards/badges.
- Consider other protective measures, such as, security alarms, video surveillance, security services, etc.
- Consider if a guard force is appropriate (DOD Shipments, PIH, RAM, other).
- Require records for removal of HM from secure locations.
- Reinforce, with employees, the importance to remain aware of their surroundings at all times.
- Recommend standard procedures for control of HM packages, educating all employees on package control measures. Post procedures prominently at appropriate locations.
- Know who you are dealing with, including shippers, receivers and vendors that service your facility.
- Limit and track keys/entry cards, paying special attention to those issued to employees that are no longer with the company.

#### **En Route Security**

- Avoid high population centers, including downtown and/or metropolitan areas, tunnels and bridges where possible (see 49 CFR 397.67).
- Ensure that all hazardous materials are delivered expeditiously.
- Instruct drivers to lock vehicles when in transit or unattended.
- Reinforce attendance and parking rules in 49 CFR Part 397.
- Drivers must be aware of vehicles that may be following their truck and strangers asking inappropriate questions.
- Be suspicious of individuals asking you to stop as a result of an alleged traffic accident. If unsure whether the accident occurred, drive to a police station or to a well-lit busy location before stopping.
- Be cautious about stopping to help stranded motorists or at accident scenes. If possible, call the State Police instead.
- Do not pick-up hitchhikers.
- Do not discuss the nature of the cargo at coffee shops, trucks, over the CB radio, etc.
- Drivers must remain aware of their surroundings at all times.
- Drivers should have a means to maintain communication with the company, such as, cell phones, 2-way radios, CBs, satellite communication systems, etc.

### **Technical Innovations**

- Make yourself aware of technical innovations that could assist in security such as cell phones, satellite tracking, and surveillance systems.
- Look at state of the art locks and seals.
- Are access control systems appropriate?
- Consider tamper proof locking features for 5th Wheels (so that trailers can't be stolen).
- Consider installing electronic engine controls that require a code, in addition to a key, to start a vehicle.
- Consider theft prevention devices, steering locks, fuel cut-off switches, electrical cut-off switches, and other high security ignition devices.

### **Management Prerogatives**

- Include fingerprinting and photographs of applicants in the employment process.
- Be aware of personal identity theft such as using stolen social security numbers, references, etc.
- Consider running criminal background checks.
- Consider implementing security training for employees that includes:
  - Company Security Objectives
  - Specific Security Procedures
  - Employee Responsibility
  - Organizational Security Structure

### **Communications**

- Develop a communications network with others in the industry in an effort to share information to determine if there is a pattern of activities that, when taken alone are not significant, but when taken as a whole generate concern.
- Develop a means of communication within the physical plant and the vehicle (cell phones, satellite tracking, radios, etc.) Is the system capable of reaching all key personnel?
- Security messages should be presented to employees in various methods such as newsletters, bulletin boards, etc.

### **Readjustment Based Upon Current Conditions**

- Emphasize that terrorist activities tend to happen in groups. Security should be heightened if new attacks begin.
- Increase security measures while the U.S. is involved in military activities in foreign countries.
- Increase security measures when the U.S. is at a heightened state of alert.

### **Other**

- Suspicious activities should be immediately be reported by telephone, using 311 or 911, as appropriate.